

The National Ombudsman Reporting System (NORS) Special Reporting Issues

As state ombudsmen and members of their staff work with local ombudsmen and their sponsoring agencies on case and complaint documentation and prepare their annual reports, they should keep the following requirements and considerations in mind regarding the NORS.

Coordination of the State Performance and Long-Term Care Ombudsman Reports

The following information was provided in AoA PI-95-10 and PI-97-01 and is repeated in this document because local ombudsmen continue to be asked to provide data for more than one reporting system, which results in confusion and undue burdens on them. States are requested to inform their area agencies on aging of the following information regarding documentation of local ombudsman complaint and other program activity.

The State Performance Report (SPR) is not intended to collect any information on the state long-term care ombudsman program, except the data listed under SPR Section VII, State and Area Agency Staffing Profile. Therefore, **do not include ombudsman information in the following sections of the SPR:**

1. Section I, Estimated Unduplicated Counts of Clients Served Under Title III;
2. Section II, Title III Utilization Profile; or
3. Section III, Service Expenditures Profile (except as requested under Part B, Title VII Expenditures).

Counting Numbers of People Served: Ombudsmen Should Not Collect Social Security Numbers

Area agency, state and national totals for both numbers of individuals served and funds expended can be achieved by adding information from the ombudsman report and SPR's. These numbers must not be included in the SPR report to AoA, as they are included in the ombudsman report and must not be counted twice.

Local ombudsmen should be required to document their work only through the state component of the ombudsman reporting system, even if the local program is supported with Title III funds. The number of clients served by the ombudsmen will be reflected in the number of cases opened and closed. There is no need for an "unduplicated client count" for the ombudsman report. If states wish to have such a count, they should ask their ombudsman programs to assign confidential numbers for each individual complainant who files a case. ***For reasons of confidentiality, efficiency and building trust during the complaint intake process, ombudsmen should not be asked to request clients' Social Security numbers.***

The number of people to whom the ombudsman program provides information and assistance/referral (as opposed to assistance in resolving complaints) will be captured in Part III, Section F of the ombudsman report.

If additional client information not included in the NORS, such as age, gender and ethnicity, is required for use at the area agency on aging or state level, state and area agencies may require their ombudsman programs to add these elements to their complaint documentation systems. This ombudsman client information is not needed at the national level because it is available from other data sets on residents of long-term care facilities.

Do include ombudsman information in the SPR Section VII, staffing profile. Ombudsman program staff who work **directly** for the state and area agency and any ombudsman volunteers who work for regional ombudsman programs located in, and/or directly sponsored by the area agency, should be included in the staffing profile on pages 12 and 13 of the SPR, as well as in the staffing section of the Ombudsman Report. While the data is similar, the sets of information in the two reports serve two different purposes.

For the SPR, count ombudsman staff full-time equivalents (FTE's) under the functional responsibility category which best describes the function they perform for the ombudsman program. Staff or volunteers who work for agencies under contract or grant by the area agency should not be included in the staffing profile of the SPR.

Basic NORS Principles; Avoiding Common Mistakes

Cases versus Complaints — Since new staff and volunteers join the ombudsman program on a daily basis, there is an on-going need to educate and re-educate everyone in the statewide program who works on complaints about the following basic tenets of the NORS complaint documentation system:

- ▶ For each case opened there can be several complaints (problems);
- ▶ Complaints are reported to AoA only after a case is closed;
- ▶ All complaints in a case opened by the ombudsman program are investigated, whether or not they can be verified; and
- ▶ The disposition of each complaint must be accounted for and the disposition must be coded in one of eight ways.

Definitions of “case,” “complaint,” “closed,” “verified,” and “resolved” are provided on the NORS form. In their state training programs, state ombudsmen and trainers should ensure that this basic information is communicated and understood by all who work on complaints.

“Cases opened” (Part I.A) is a free-standing number.

It is not related to any other number in the NORS system. The number of cases opened in one year and closed in the same year does not have to be correlated with the number carried over, opened or closed in the next year. When a case is closed, the complaints for that case should be counted in the NORS report.

Abuse Complaints

The first seven categories in Section A of the NORS complaint codes are for serious complaints of *willful* mistreatment of residents by facility staff, management, other residents (category 6) or unknown or outside individuals. (Categories P.117 and P.121 should be used for abuse or exploitation of residents by family members.) The categories in Section A should be used for complaints which are so serious that legal action reasonably could be brought against the perpetrator(s). Complaints which are not this serious in nature should be documented under other categories, such as "Accidental or injury of unknown origin..." (F.40); "Call lights, response to requests for assistance" (F.41), "Personal hygiene..." (F.45), "Billing/charges" (E.36), and so forth. Local paid and volunteer ombudsmen should understand and practice this distinction. The NORS instructions provide definitions of "abuse" "neglect" and "exploitation" which are those in the Center for Medicare and Medicaid's (CMS) interpretive guidelines for state surveys.

Description of the major long-term care issues identified by the state (Part II) is a required, not optional, part of the report.

This material should be entered in the appropriate box in the NORDIA program. Please do not write "see attached" in this box. If the material is not entered in the NORDIA program, it cannot be downloaded and will be lost. This part of the report is for describing problems affecting large numbers of residents (major issues), barriers to resolving such problems, and recommendations for resolving the issue(s), or what has been done in the state to address and/or resolve the issue. In responding to this narrative question, states will fulfill the reporting requirement in Section 712(h)(1) of the Older Americans Act as well as provide crucial information about current issues impacting on residents of long-term care facilities. **Please distill the response to this and other narrative questions to their essence to aid AoA in compiling all the state responses in a way that is readable and usable for all.**

Local Programs — If a state has one or more individuals designated by the state ombudsman to provide ombudsman services based in an area of the state other than the state ombudsman office, that individual or individuals should be counted as a local ombudsman entity under Part III, C of the report. The ombudsmen could be counted as a regional office of the state ombudsman program, unless they are affiliated with another type of host agency listed on page 10 of the NORS form. It is important to include these types of programs (even though they are small) in order to document how many areas of the country have an ombudsman presence.

Program Funding — For each source of funding listed in Part III, E, report amounts ***EXPENDED on the statewide ombudsman program***, not amounts budgeted. Report any Title VII, Chapter 3 abuse prevention money that was expended on ombudsman activities. ***Do not report the amount of Title VII abuse prevention monies received by the state and expended on non-ombudsman abuse prevention activities.***

Number of facilities visited on a regular basis — This is the area where the most mistakes have occurred because some states reported number of visits, not number of facilities. This data element is intended to document how many facilities in the state receive regular ombudsman visits, not in response to complaints. "Regular" is defined as weekly, bi-weekly, monthly or quarterly. The count of facilities should be unduplicated. There should not be more facilities visited than there are facilities in the state.